THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.6979 of 2000

11-08-2005

BETWEEN

Ediga Caste Welfare Association, rep.
By its President A. Babu Rao, S/o. A. Raja Rathan,
aged about 33 years, R/o. Tadukupeta village,
Nagari Mandal, Chittoor District, and others.

…**PETITIONERS**

AND

State of A.P. rep. by its Secretary to Government,
Backward Classes Welfare Department, Secretariat,
Hyderabad, and others.

…**RESPONDENTS**

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.6979 of 2000

ORDER: -

This writ petition is filed seeking *mandamus* to declare the action of the first respondent in Memo No.1959/C1/97 dated 06-11-1997 suspending the proceedings issued by the second respondent as illegal and arbitrary and direct the respondents to issue caste certificate
Ediga B.C. “B” to the petitioners and the members of the first petitioner.

2. Petitioners claim that they all belong to Ediga community, which is notified as Backward Class ‘B’. It is their case that they wanted to avail the status of B.C caste, but however, the respondents are not issuing caste certificates basing on the impugned instructions. However, in the counter affidavit filed on behalf of the respondents, it is stated that no one among the petitioners have filed any application for issuance of caste certificate as B.C.”B”.

3. By the impugned proceedings certain instructions issued earlier by the District Collector, Chittoor, were suspended by the Government.
But, however, it is to be seen that issuance of caste certificate is now governed by the Andhra Pradesh (Scheduled Castes, Scheduled Tribes
and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for short ‘the Act’).

4. In that view of the matter, as much as issuance of caste certificate is governed by the Act, issuance of the certificates cannot be based, either on the Circular issued by the District Collector or by the instructions issued in the impugned Memo dated 06-11-1997.

5. In that view of the matter, I dispose of the writ petition directing the respondents to consider the representation, if any, filed by the petitioners and pass appropriate orders on the same, in accordance with the Act and according to the statute and the rules made thereunder.

6. Subject to the above directions, the writ petition is disposed of.

No order as to costs.

JUSTICE R. SUBHASH REDDY

Dt.11-08-2005

GLV